

EXHIBIT B



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
200 VESEY STREET, SUITE 400
NEW YORK, NY 10281-1022

NANCY A. BROWN
TELEPHONE: (212) 336-1023
EMAIL: BROWNN@SEC.GOV

April 22, 2020

Via Email

Randall Lee, Esq.
Michael Berkovits, Esq.
Cooley LLP
1333 2nd Street
Suite 400
Santa Monica, CA 90401

Chris Johnstone, Esq.
Wilmer Cutler Pickering Hale and Dorr LLP
950 Page Mill Road
Palo Alto, CA 94304

Re: SEC v. Honig, et al.;
No. 18 Civ. 8175 (ER)

Gentlemen:

In a good faith effort to help you to narrow your search requests, and without agreeing that the search terms you requested and that we used to compile the results detailed below will produce information either relevant to any claims or defenses in the case or proportional to the needs of the case, we provide you with the following information about the results of your search terms.

Because of the volume of the collection of documents, we have not yet been able to compile the list you requested in your April 14, 2020 email of sec.gov recipients and senders, but we are working to supply that information. For your convenience, we have copied your April 14, 2020 requests for information (with the number you assigned to the request) above the information we are providing.

1. Please provide the total number of hits for the first search. For clarity, that means the number of unique documents, following industry-standard deduplication (*e.g.*, MD5 hash deduplication), that hit on the search, as well as the total number of such documents including family members. It does not include the scenario you described in your February 25 email, where one document in a family hits on one portion of the Boolean search, and another document in the family hits on another portion of the Boolean search, but no document in the family actually hits on the search on its own.

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Response:

The first search:

(13(d) or 13(g) or 13D or 13G) and (group or partnership or syndicate or pool or "in concert") and (confusing or ambiguous or clarity or clear or unclear or disagree*) or ((minimal or little or paucity or absence) /5 guidance))

Applying those search terms, minus the extraneous parenthetical that appears at the end, through the text of all unique documents returned from IT's search through Corp Fin's emails from 10.01.12 through 05.31.16, and after deduplication:

30,087 documents
88,899 with families

2. Please provide the total number of hits for each of the following subsearches which are each components of the first search:

- (13(d) or 13(g) or 13D or 13G) AND (group OR partnership OR syndicate OR pool OR "in concert") AND confusing

Response:

4,237
17,285 with families

- (13(d) or 13(g) or 13D or 13G) AND (group OR partnership OR syndicate OR pool OR "in concert") AND ambiguous

Response:

2,202
12,438 with families

- . . . AND clarity

Response:

9,196
36,601 with families

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- . . . AND clear

Response:

24,036
75,250 with families

- . . . AND unclear

Response:

13,006
44,936 with families

- . . . AND disagree!

Response:

15,142
51,182 with families

Note: We ran this search with an asterisk (“disagree*”), not an exclamation point.

- . . . AND ((minimal OR little OR paucity OR absence) /5 guidance))

Response:

1,681
6,887 with families

Note: We ran this search without the last, extraneous parentheses

5. Please identify the number of documents for each calendar year.

Response:

10.01.12-12.31.12:

1,460
4,984 with families

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01.01.13-12.31.13:

8,644
24,788 with families

01.01.14 – 12.31.14

9,193
28,932 with families

01.01.15-12.31.15

7,165
20,313 with families

01.01.16-05.31.16

3,619
9,875 with families

6. Please identify the number of documents you consider to be “external” and the number you consider to be “internal”—as that terminology has been used in your earlier communications on this topic—and please identify the methodology used for such distinction (*e.g.*, solely sec.gov email addresses among the to/from/cc/bcc fields).

Response:

Internal:

23,613
70,471 with families

Note: Includes sec.gov (or some other .gov, law enforcement agency or foreign governmental entity domain) as senders and recipients (to/from/cc/bcc)

Sincerely yours,

s/ Nancy A. Brown

Nancy A. Brown